

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

Claim 1. (Currently Amended) A magnetoresistance effect element comprising:  
a magnetoresistance effect film including a magnetization fixed layer having a ferromagnetic film in which the direction of magnetization is substantially fixed to one direction, a magnetization free layer having a ferromagnetic film in which the direction of magnetization varies in response to an external magnetic field, and an non-magnetic intermediate layer provided between the magnetization fixed layer and the magnetization free layer layer[::], the non-magnetic intermediate layer comprising a non-magnetic metallic layer and a resistance regulating layer stacked on the non-magnetic metallic layer, the resistance regulating layer formed in the non-magnetic intermediate layer or on the interface between the non-magnetic intermediate layer and at least one of the magnetization fixed layer and the magnetization free layer; and  
a pair of electrodes which are electrically connected to the magnetoresistance effect film for applying a current in a direction perpendicular to the plane of the magnetoresistance effect film; and  
~~a resistant~~ the resistance regulating layer which contains containing an oxide, a nitride, a fluoride, a carbide or a boride as a principal component.

Claim 2. (Currently Amended) A magnetoresistance effect element comprising:  
a magnetoresistance effect film including a magnetization fixed layer having a ferromagnetic film in which the direction of magnetization is substantially fixed to one direction, a magnetization free layer having a ferromagnetic film in which the direction of

magnetization varies in response to an external magnetic field, and a non-magnetic intermediate layer provided between the magnetization fixed layer and the magnetization free layer[;], the non-magnetic intermediate layer comprising a non-magnetic metallic layer and a resistance regulating layer stacked on the non-magnetic metallic layer, the resistance regulating layer formed in the non-magnetic intermediate layer or on the interface between the non-magnetic intermediate layer and at least one of the magnetization fixed layer and the magnetization free layer; and

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a pair of electrodes which are electrically connected to the magnetoresistance effect film for applying a current in a direction perpendicular to the plane of said magnetoresistance effect film; and,

~~a resistant~~ the resistance regulating layer for restricting the quantity of a sense current passing through the magnetoresistance effect film.

Claim 3. (Original) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer has pin holes at a rate of hole area which is 50 % or less.

Claim 4. (Original) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer is made of two kinds or more of metallic elements.

Claim 5. (Withdrawn) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer is formed in the magnetization free layer, or on the magnetization free layer on the opposite side to the non-magnetic intermediate layer.

Claim 6. (Canceled)

Claim 7. (Withdrawn) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer is formed in the magnetization fixed layer, or on the magnetization fixed layer on the opposite side to the non-magnetic intermediate layer.

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Claim 8. (Currently Amended) A magneto resistance effect element as set forth in claim 61, wherein the resistance regulating layer contains, as a principal component, at least one of oxides, nitrides, fluorides, carbides or borides of an element selected from the group consisting of B, Si, Ge, Ta, W, Nb, Al, Mo, P, V, As, Sb, Zr, Ti, Zn, Pb, Th, Be, Cd, Sc, La, Y, Pr, Cr, Sn, Ga, Cu, In, Rh, Pd, Mg, Li, Ba, Ca, Sr, Mn, Fe, Co, Ni and Rb.

Claim 9. (Withdrawn) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer is formed on the magnetization free layer on the opposite side to the non-magnetic intermediate layer, or in the non-magnetic intermediate layer, or on the interface of the non-magnetic intermediate layer, and contains a metal including at least one of Cu, Au, Ag, Ru, Ir, Re, Rh, Pt, Pd, Al and Os.

Claim 10. (Withdrawn) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer comprises:

a first region which is formed on the magnetization free layer on the opposite side to the non-magnetic intermediate layer, or in the non-magnetic intermediate layer, or on the interface of the non-magnetic-intermediate layer, and which contains Cu as a principal component; and

a second region which contains, as a principal component, at least one of oxides, nitrides, fluorides, carbides and borides of an element selected from the group consisting of B, Fe, Mo, Pb, Ta, Cr, V, Si, Sb and Ge.

Claim 11. (Withdrawn) A magnetoresistance effect element as set forth in claim 6, wherein the resistance regulating layer comprises:

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a first region which is formed on the magnetization free layer on the opposite side to the non-magnetic intermediate layer, or in the non-magnetic intermediate layer, or on the interface of the non-magnetic intermediate layer, and which contains Au as a principal component; and

a second region which contains, as a principal component, at least one of oxides, nitrides, fluorides, carbides and borides of an element selected from the group consisting of B, Fe, Ge, Mo, P, Rh, Si, W and Cr.

Claim 12. (Withdrawn) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer comprises:

a first region which is formed on the magnetization free layer on the opposite side to the non-magnetic intermediate layer, or in the non-magnetic intermediate layer, or on the interface of the non-magnetic intermediate layer, and which contains Ag as a principal component; and

a second region which contains, as a principal component, at least one of oxides, nitrides, fluorides, carbides and borides of an element selected from the group consisting of Be, Co, Cr, Fe, Mo, Pb, Si, Ta, V, W, Ge, Sn, Al and Rh.

Claim 13. (Withdrawn) A magnetoresistance effect element comprising:

a magnetoresistance effect film including a magnetization fixed layer having a ferromagnetic film in which the direction of magnetization is substantially fixed to one direction, a magnetization free layer having a ferromagnetic film in which the direction of magnetization varies in response to an external magnetic field, and a non-magnetic intermediate layer provided between the magnetization fixed layer and the magnetization free layer;

1 B a pair of electrodes which are electrically connected to the magnetoresistance effect film for applying a current in a direction perpendicular to the plane of the magnetoresistance effect film; and

a region which is formed on the magnetization free layer on the opposite side to the non-magnetic intermediate layer, or in the non-magnetic intermediate layer, or on the interface of the non-magnetic intermediate layer, and which contains, as a principal component, a crystalline oxide containing at least one selected from the group consisting of B, Si, Ge, W, Nb, Mo, P, V, Sb, Zr, Ti, Zn, Pb, Cr, Sn, Ga, Fe and Co.

Claim 14. (Withdrawn) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer has a thickness of 0.5 to 5 nm.

Claim 15. (Withdrawn) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer includes holes of a metal phase of 2 % to 30 %.

~~Claim 16. (Withdrawn) A magnetoresistance effect element as set forth in claim 15,~~  
wherein the mean diameter of each of the holes of the resistance regulating layer is in the

range of from 5 % to 100 % with respect to the total thickness of the magnetization free layer, the non-magnetic intermediate layer and the magnetization fixed layer.

Claim 17. (Withdrawn) A magnetoresistance effect element as set forth in claim 15, wherein the distance between adjacent two of the holes of the metal phase is in the range of from 10 nm to 100 nm.

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Claim 18. (Withdrawn) A magnetoresistance effect element as set forth in claim 15, wherein the mean distance between adjacent two of the holes of the metal phase is in the range of from 10 nm to 100 nm.

Claim 19. (Original) A magnetic head having a magnetoresistance effect element as set forth in any one of claims 1 through 17.

Claim 20. (Original) A magnetic recording and/or reproducing system which has a magnetic head as set forth in claim 19 and which is capable of reading magnetic information stored in a magnetic recording medium.

Claim 21. (Previously Presented) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer is formed in the non-magnetic intermediate layer, and contains a metal including at least one of Cu, Au, Ag, Ru, Ir, Re, Rh, Pt, Pd, Al and Os.

Claim 22. (New) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer is formed of an insulating material which has pin holes, and an electric conduction of the resistance regulating layer is regulated by the pin holes.

Claim 23. (New) A magnetoresistance effect element as set forth in claim 2, wherein the resistance regulating layer contains, as a principal component at least one of oxides, nitrides, fluorides, carbides or borides of an element selected from the group consisting of B, Si, Ge, Ta, W, Nb, Al, Mo, P, V, As, Sb, Zr, Ti, Zn, Pb, Th, Be, Cd, Sc, La, Y, Pr, Cr, Sn, Ga, Cu, In, Rh, Pd, Mg, Li, Ba, Ca, Sr, Mn, Fe, Co, Ni and Rb.

Claim 24. (New) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer includes holes of a metal phase of 2% to 30%.

Claim 25. (New) A magnetoresistance effect element as set forth in claim 2, wherein the resistance regulating layer includes holes of a metal phase of 2% to 30%.

Claim 26. (New) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer includes pinholes in the oxide, the nitride, the fluoride, the carbide, or the boride, the pin holes containing an element of the same kind in the oxide, the nitride, the fluoride, the carbide, or the boride.

Claim 27. (New) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer includes pinholes in the oxide, the nitride, the fluoride, the

carbide, or the boride, the pin holes containing an element of different kind of the oxide, the nitride, the fluoride, the carbide, or the boride.

Claim 28. (New) A magnetoresistance effect element as set forth in claim 2, wherein the resistance regulating layer includes pinholes in an oxide, a nitride, a fluoride, a carbide, or a boride, the pin holes containing an element of the same kind in the oxide, the nitride, the fluoride, the carbide, or the boride.

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Claim 29. (New) A magnetoresistance effect element as set forth in claim 2, wherein the resistance regulating layer includes pinholes in an oxide, a nitride, a fluoride, a carbide, or a boride, the pin holes containing an element of different kind in the oxide, the nitride, the fluoride, the carbide, or the boride.

Claim 30. (New) A magnetoresistance effect element as set forth in claim 1, wherein the resistance regulating layer has a pinhole in the oxide, the nitride, the fluoride, the carbide, or the boride, and

two adjacent layers contacting the resistance regulating layer have an electric conduction through the pinholes of the resistance regulating layer.

31. (New) A magnetoresistance effect element as set forth in claim 2, wherein the resistance regulating layer comprises an oxide, a nitride, a fluoride, a carbide, or a boride, and also comprises pinholes in the oxide, the nitride, the fluoride, the carbide, or the boride, and

two adjacent layers contacting the resistance regulating layer have an electric conduction through the pinholes of the resistance regulating layer.